

REMARKS:

Applicants thank the Examiner and his supervisor for his cooperation in setting up and conducting an interview with the undersigned on April 24, 2003. The claims and interpretations of the Streetfighter reference were discussed. No agreement was reached.

Claim Rejections Under 35 USC 103:

Claims 1-2, 4-5, 8-9, 13, and 16-17 were rejected under 35 USC 103(a) as being unpatentable over Miyamoto et al (US 6,203,431) in view of Van Hook et al. (US 6,342,892), further in view of Streetfighter Collection. Further, claims 6-7, 11-12, 14-15, and 18-19 were rejected under 35 USC 103(a) as being unpatentable over Miyamoto in view of Van Hook and Streetfighter Collection as applied to claim 1 above and further in view of Billyard et al. (US 5,579,454). Applicants respectfully submit that all previously amended claims are patentably distinct from the cited references and request reconsideration of the claims.

On page 2 of the office action the Examiner rejected claims 1-2, 4-5, 8-9, 13, and 16-17, partially on the basis of Miyamoto, but conceded that Miyamoto does not explicitly disclose "...duplicating said object..."; "drawing said dummy object at second position except for an overlapping portion between said object and said dummy object when observed from the viewpoint..."; and "...wherein the drawing of said dummy object is in a second lightness ... said second lightness based on said first lightness...". The Examiner further stated that Streetfighter Collection discloses duplicating said object (screenshot, page 5) and drawing the dummy object in a second lightness based on the first lightness (screenshot, page 5). The examiner further commented on interpretation of Streetfighter Collection in reference to claim 5, indicating that Streetfighter Collection, screenshot, page 3, discloses wherein the second lightness is higher than the first lightness. Applicants respectfully disagree, and believe that Streetfighter Collection fails to teach or suggest the limitations identified above.

Streetfighter Collection is a game apparently available at least for one of the Sony Playstation platforms. The publication provided is a printout of a web page and includes three thumbnail video screenshots, two of which are enlarged to full size screenshots (see screenshot, pages 3 and 5). From all appearances including the short

written description provided, Streetfighter Collection is a matchup fighting game using two-dimensional images for the fighters. The publication provides no amplification of the game operation but it is assumed that the motion of the fighter character is expressed by continuously rewriting a plurality of two-dimensional images representing the motions of the fighters. In particular, the screenshot appearing on page 5, appears to represent the fighter two-dimensional image superimposed on a different image, perhaps a previous position (i.e., “residual image”) of this same fighter in the action sequence. Applicants understands that the examiner is referring to this “residual image” as the duplicate of the object and will hereinafter refer to it (i.e., the two dimensional object shown in screenshot 5 behind the fighter) as the “residual image” for want of a better descriptive term and does not intend to suggest that the publication teaches such nomenclature.

The resolution of the screenshot is poor and thus makes it difficult to identify all of the differences between the fighter and this “residual image”. However, it is clear that the “residual image” is not a duplicate object as required by the limitations of the claims. For example, the image of the fighter has the left lower leg and right lower leg inclined forward in an attacking position whereas the “residual image” has both the left and right legs more upright (i.e., a ready stance). Further, the head of the fighter appears to be in a lower position than depicted in the residual image. Thus, for at least these reasons, the “residual image” shown in Streetfighter is not a dummy object of said object generated by duplicating said object as required in the claims. That is, inspection of the “residual image” reveals that at best it may be an image associated with the current image of the fighter.

Even if, for the sake of argument only, one were to assume that the “residual image” resembled the object, i.e., the current position of the fighter, sufficiently to comprise a duplicate, Streetfighter fails to disclose how the “residual image” is generated. The reference is silent as to how the “residual image” is generated but the stance of the fighter suggests that possibly the “residual image” reflects the fighter from a previous time frame. If so, the “residual image” isn’t formed by duplicating the current image of the fighter but instead was formed before the current image. In other words, Streetfighter’s silence as to how the “residual image” was formed is insufficient to teach the limitations of claim 1. Further, any reasonable assumptions or suggestions taken from the Streetfighter publication provide further evidence that the limitations of claim 1 are not taught or suggested, i.e. that the “residual image”

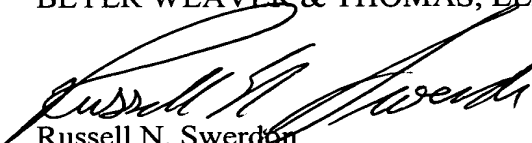
was not formed by duplicating the object. For at least these reasons, applicants submit that the combination of references fails to teach or suggest all of the limitations of claim 1.

Moreover, as to claim 5, the “residual image” appears to have a darker coloring than the fighter in the screenshot on page 5 instead of the higher lightness required in claim 5. The screenshot on page 3 does not show a two-dimensional image or object even remotely resembling the fighter, much less a duplicate drawn with a lightness higher than the lightness of the fighter. Thus, for at least these reasons, Miyamoto in combination with Van Hook and Streetfighter Collection fails to teach or suggest all elements of claim 1 and 5. Claims 6 – 8, and 12-19 are in independent claim format and are believed to be allowable for at least the same reasons as discussed above with respect to claim 1. Moreover, the dependent claims recite additional limitations, and are therefore allowable for these reasons as well. However, in light of the above distinctions in the independent claims, further discussion of the dependent claims is deemed unnecessary. Thus claims 2-5, and 9-11 are allowable at least due to their respective dependencies from an allowable independent claim.

Conclusion:

Applicants believe that all pending claims 1-19 are allowable and respectfully requests a Notice of Allowance for this application from the Examiner.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP



Russell N. Swerdon
Reg. No. 36,943

P.O. Box 778
Berkeley, CA 94704-0778
(510) 843-6200